for the

Western District of New York

Thomas W. Greenwood et al.	
Plaintiff )	
v. )	Civil Action No. 6:12-CV-6056
Antonio M. Perez et al.	
Defendant )	
WAIVER OF THE SER	VICE OF SUMMONS
To: Jules L. Smith	
(Name of the plaintiff's attorney or unrepresented plaintiff)	
I have received your request to waive service of a sur two copies of this waiver form, and a prepaid means of return	nmons in this action along with a copy of the complaint, ing one signed copy of the form to you.
I, or the entity I represent, agree to save the expense of	of serving a summons and complaint in this case.
I understand that I, or the entity I represent, will I jurisdiction, and the venue of the action, but that I waive any	keep all defenses or objections to the lawsuit, the court's objections to the absence of a summons or of service.
I also understand that I, or the entity I represent, must 60 days from 02/08/2012 , the date when United States). If I fail to do so, a default judgment will be en	t file and serve an answer or a motion under Rule 12 within a this request was sent (or 90 days if it was sent outside the ntered against me or the entity I represent.  PHILLIPS ATTLE LLP
Date: 02/08/2012	By: Jen 7- Signature of the attorney or unrepresented party
Douglas R. Lebda  Printed name of party waiving service of summons	Gary F. Kotaska, Esq.  Printed name
	3400 HSBC Center, Buffalo, NY 14203  Address
	gkotaska@phillipslytle.com  E-mail address
	(716) 847-8400
	Telephone number

### Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

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Date: 02/08/2012	By: Jan T. Together Signature of the attorney or unrepresented party
Debra L. Lee	Gary F. Kotaska, Esq.
Printed name of party waiving service of summons	Printed name
	3400 HSBC Center, Buffalo, NY 14203  Address
	gkotaska@phillipslytle.com E-mail address
	_(716)_847-8400
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	file and serve an answer or a motion under Rule 12 within this request was sent (or 90 days if it was sent outside the tered against me or the entity I represent.  PHILLIPS LYTLE LLP
Date: 02/08/2012	By: July 7 / John Signature of the attorney or unrepresented party
Kyle Prechtl Legg Printed name of party waiving service of summons	Gary F. Kotaska, Esq.  Printed name
	3400 HSBC Center, Buffalo, NY 14203  Address  gkotaska@phillipslytle.com
	E-mail address (716) 847-8400

#### Duty to Avoid Unnecessary Expenses of Serving a Summons

Telephone number

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Date: 02/08/2012	By: Juny F. / speche
	Signature of the attorhey or unrepresented party
Delano E. Lewis  Printed name of party waiving service of summons	Gary F. Kotaska, Esq.
Trinea name of party watving service of summons	rrintea name
	3400 HSBC Center, Buffalo, NY 14203
	Address
	gkotaska@phillipslytle.com
	E-mail address
	(716) 847-8400
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	*

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	ile and serve an answer or a motion under Rule 12 within his request was sent (or 90 days if it was sent outside the ered against me or the entity I represent.  PHILLIPS EYTLE LLP
Date: 02/08/2012	By: Jung to Signature of the attorney or unrepresented party
Antoinette P. McCorvey  Printed name of party waiving service of summons	Gary F. Kotaska, Esq. Printed name
	3400 HSBC Center, Buffalo, NY 14203
	gkotaska@phillipslytle.com  E-mail address

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Thomas W. Greenwood et al.  Plaintiff  V.  Antonio M. Perez et al.  Defendant	) ) Civil Action No. 6:12-CV-6056 )
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Date: 02/08/2012	By: Signature of the attorney or unrepresented party
William G. Parrett  Printed name of party waiving service of summons	Gary F. Kotaska, Esq. Printed name
	3400 HSBC Center, Buffalo, NY 14203  Address
	gkotaska@phillipslytle.com  E-mail address
	(716) 847-8400 Telephone number

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### United States District Court

for the

Western District of New York

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Date: 02/08/2012	By: Signature of the attorney or unrepresented party
Antonio M. Perez Printed name of party waiving service of summons	Gary F. Kotaska, Esq.  Printed name
	3400 HSBC Center, Buffalo, NY 14203  Address
	gkotaska@phillipslytle.com <i>E-mail address</i>
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Date: 02/08/2012	By: Signature of the attorney or unrepresented party
Joel Seligman	Gary F. Kotaska, Esq.
Printed name of party waiving service of summons	Printed name
	3400 HSBC Center, Buffalo, NY 14203  Address
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Date: 02/08/2012	By: San t. / again
	Signature of the attorney or unrepresented party
Frank S. Sklarsky	Gary F. Kotaska, Esq.
Printed name of party waiving service of summons	Printed name
	3400 HSBC Center, Buffalo, NY 14203
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Date: 02/08/2012	By: Juny to logist Signature of the attorney or unrepresented party
Dennis F. Strigl	Gary F. Kotaska, Esq.
Printed name of party waiving service of summons	Printed name
	3400 HSBC Center, Buffalo, NY 14203
	Address
	Address gkotaska@phillipslytle.com E-mail address

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Date: 02/08/2012	By: Jack F. Japake. Signature of the attorney or unrepresented party
Laura D'Andrea Tyson Printed name of party waiving service of summons	Gary F. Kotaska, Esq.  Printed name
	3400 HSBC Center, Buffalo, NY 14203  Address
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